

### **REMARKS**

Applicants respectfully request entry of the foregoing amendments and reconsideration of the merits of the restriction requirement in view of the following remarks. Claims 2-6 have been canceled. Claims 31-35 have been added. Claims 1 and 7-35 are currently pending.

#### **I. Restriction Requirement**

The outstanding Office Action mailed on June 28, 2004, requires that Applicants elect one of the following two (2) allegedly distinct inventions:

<u>INVENTION</u>	<u>CLAIMS</u>
I	1-24
II	25-30

Applicants hereby elect **Invention I (claims 1-24)<sup>1</sup> with traverse** and respectfully request reconsideration of the restriction requirement in view of the following remarks.

Restriction is appropriate only when the groups of claims can be shown to be distinct and there would be a serious burden on the Examiner to examine more than one group of claims. MPEP § 803.

Applicants submit that there is no serious burden placed on the Examiner to examine Inventions I and II together. Particularly, both Inventions I and II are generally directed toward similar, if not identical, software agents, *i.e.*, agents for retrieving changing target content from a target source on a remote computer. *See* Applicants' Specification, paragraphs 58, 59, 69, and 70. Therefore, the search required for Inventions I and Invention II substantially encompass the same prior art. Accordingly, the restriction requirement is believed to be inappropriate.

#### **II. New Claims 31-35**

Claims 31-35 have been added and are directed to a method for downloading a dynamically changing target document from a remote computer to a local computer and locating and extracting a target content from the target document. The claimed invention as recited in any one of claims 31-35 is believed to be not distinct from Invention I. *See* Remarks § I, *supra*.

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<sup>1</sup> Original claims 2-6 have been canceled. Claims 1, 7-11, 13-15, 18, 23, and 24 have been amended to better describe the claimed invention.

Accordingly, the examination of claims 31-35 is proper in view of the Applicants' election of Invention I.

### III. Conclusion

Applicants maintain that the restriction requirement is inappropriate and that all pending claims, *i.e.*, claims 1 and 7-35, should be examined for patentability. If the Examiner believes that the prosecution might be advanced by discussing the application with Applicants' representatives, in person or over the telephone, we would welcome the opportunity to do so.

Applicants are submitting herewith a check for Excess Claims Fees totaling \$43.00. In the event that a variance exists between the fee amount submitted by Applicant and that deemed necessary by the United States Patent and Trademark Office in order to enter this Reply or to maintain the present application pending, please charge or credit such variance to the undersigned's Deposit Account No. 50-0206.

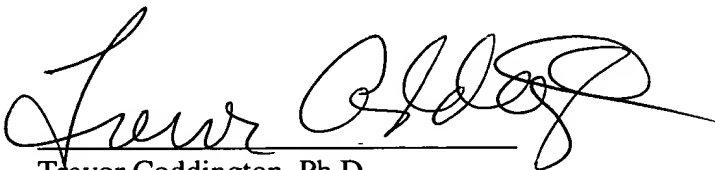
Respectfully submitted,

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Dated: July 2, 2004

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